

The Kentucky State Board for Proprietary Education
May 16, 2008

A regular meeting of the Kentucky State Board for Proprietary Education was conducted May 16, 2008 at the Division of Occupations and Professions, 911 Leawood Drive, Frankfort, Kentucky.

Members Present

Mark Gabis
Jan Gordon
Dr. Stephen Meade
Vivian Nash
Penny Armstrong
Glen Wilham

Occupations and Professions

Dana Hockensmith, Board Administrator
Gerald W. Hoppmann, Executive Director
Wendy Satterly, Board Administration and
Section Supervisor

Members Absent

Lisa Bozarth
Chris St. John
Stephen Ellison

Others

Diane Fleming, Board Counsel/Assistant
Attorney General

Guests

John Nash, Nash Academy - Lexington

Mr. Gabis called the meeting to order at 1:18 p.m. and introductions were made.

Ms. Nash made a motion to approve the minutes from the April 25, 2008 meeting.
Motion seconded by Ms. Armstrong, carried.

Ms. Nash made a motion to approve the financial statement July 1, 2007-April 30, 2008.
Motion seconded by Mr. Wilham, carried.

Elections

Nominations were made for Chair for Mr. Gabis and Ms. Armstrong. Ms. Armstrong respectfully declined. Mr. Gabis became new Chair upon withdrawal of nomination by Ms. Armstrong.

Nominations were made for Vice Chair for Ms. Gordon and Chair Gabis. Chair Gabis respectfully declined. Ms. Gordon became Vice Chair upon withdrawal of nomination by Mr. Gabis.

Executive Director Report

Mr. Hoppmann, Division Director, informed Board members that the Division had arranged for Board Administrator/Board Member trainings as follows: June 12, 2008 from 1:30 p.m. to 3:30 p.m. the training offered will be on KRS Chapter 13B

(Administrative Hearings) and June 25, 2008 from 8:30 a.m. to noon training will be offered on Kentucky Open Meetings and Open Records Laws. Both are being held at the Office of Attorney General. Future trainings related to the budget process, ethics, and administrative regulations are also being planned. Board will be receiving notification of trainings via mail.

Board Counsel Report

The Board continues to work with Ms. Lee regarding Travelers (Decker College Bonds).

Ms. Fleming and Chair Gabis continue to work on a system to discover more students whom were in attendance at Decker College.

Mr. Hoppmann reported sorting of Decker College documents continue. There were approximately 400 boxes to start and may now be down to about 100 boxes.

New Schools Committee

Ms. Gordon made a motion to defer the application submitted by Career Academy, Louisville, KY for receipt of further information as requested. Motion seconded by Mr. Wilham, carried.

Ms. Gordon made a motion to approve the application submitted by New Horizons Computer Learning Center, Ft. Mitchell, KY and in Louisville, KY subject to Blanket Agent Surety Bond and Agent Permit and have staff draft letter. Motion seconded by Dr. Meade, carried.

Ms. Gordon made a motion to approve the application submitted by Kaplan College, Cincinnati, OH subject to the Blanket Agent Surety Bond and upon the hiring of personnel, receipt is needed of School Personnel Forms and have staff draft letter. Motion seconded by Dr. Meade, carried.

Ms. Gordon made a motion to defer the application submitted by Becker Professional Review pending a successful on-site visit by the board's inspector, a fire inspection, and a school calendar and have staff draft letter. Motion seconded by Dr. Meade, carried.

New Programs Committee

Ms. Nash made a motion to defer the application submitted by 360training.com, Inc., Austin, TX for Mortgage Continuing Education pending a completed application. Motion second by Ms. Armstrong, carried.

Ms. Nash made a motion to approve the application submitted by Academy of Dental Assisting, Erlanger, KY to change school location subject to a successful on-site visit by the board's inspector and have staff draft a letter. Motion seconded by Ms. Armstrong, carried. Dr. Meade recused himself from voting.

Ms. Nash made a motion to approve the application submitted by Academy of Dental Assisting, Lexington, KY for Comprehensive Dental Assisting Program (Diploma). Motion seconded by Ms. Armstrong, carried. Dr. Meade recused himself from voting.

Ms. Nash made a motion to approve the application submitted by Academy of Dental Assisting, Louisville, KY for Comprehensive Dental Assisting Program (Diploma) subject to PE-11 forms and have staff draft a letter. Motion seconded by Ms. Armstrong, carried. Dr. Meade recused himself from voting.

Ms. Nash made a motion to defer the application submitted by Brown Mackie College, Louisville, KY for Biomedical Equipment Technology (Associate Degree) pending a successful on-site visit by the board's inspector, correct application and fee and have staff draft letter. Motion seconded by Ms. Armstrong, carried.

Ms. Armstrong made a motion to approve the application submitted by Home Services Real Estate Academy, Louisville, KY to add programs (see listed). Motion seconded by Ms. Nash, carried.

ANSI Residential Measuring Standard (Certificate)
Understanding RESPA (Certificate)
Exprieds – Like Catching a Fish in a Barrel (Certificate)

Ms. Armstrong made a motion to approve the application submitted by Northern KY Real Estate College, Florence, KY to change the location subject to a successful on-site visit by the board's inspector, fire inspection and certificate of occupancy and have staff draft letter. Motion seconded by Ms. Nash, carried.

Ms. Armstrong made a motion to approve the application submitted by Top Speakers, Lexington, KY to change the name of Top Speakers to Kentucky Center for Leadership and Innovation. Motion seconded by Ms. Nash, carried.

Ms. Armstrong made a motion to approve the applications submitted (listed below) by Spencerian College, Louisville, KY to revise programs for less than 25% second by Ms. Nash, carried.

Limited Medical Radiology (Diploma)
Medical Clinical Specialties (Associate Degree)
Limited Medical Radiography with Phlebotomy (Diploma)

Complaint Review Committee Report

Complaint #2007-110: Chair Gabis made a motion to dismiss.

Complaint #2007-111 & 2008-002: Chair Gabis made a motion to have the inspector, Mr. Barron, get in touch with the four students listed as witnesses and report at the next meeting.

Complaint #2008-001: Ongoing.

Complaint #2008-003: The Board requested Ms. Fleming to draft a letter to Truck Driver Institute of Indiana to refund \$200 to a Amanda Stamper, a former student.

Complaint #2008-005: Ongoing.

Chair Gabis made a motion to accept all of the committee's recommendations. Motion seconded by Ms. Gordon, carried.

Commercial Driver License Committee Report

No items to report.

Old Business

Ms. Fleming reported she has not sent the letter and affidavit to ARC-Tech in Stanton, KY and it has yet to be signed and returned. This item will be deferred until the next meeting scheduled for June 20, 2008.

The Board requested their investigator, Mr. Barron, to check if Financial Strategies, Carmel, IN was still operating as a non-resident school after receipt of a cease and desist letter.

The Board requested their investigator, Mr. Barron, to check if Imago Studios, Nicholasville, KY was still operating as a resident school after receipt of a cease and desist letter.

Ms. Fleming reported to the board there haven't been any responses received from the letters she sent to the Jackson Hewitt Tax Schools. The Board requested their investigator, Mr. Barron, to check if their still operating a resident school.

The Board reviewed and noted transcripts for Jacqlyn Ruth Powell.

Ms. Fleming will check if the Board would have jurisdiction to pursue a complaint if filed on Aero-Tech, a flight school located at the Bluegrass Airport and report at the next meeting.

New Business

Ms. Armstrong made a motion to send the Board investigator, Mr. Barron, to see if the school is still operating if no response is received by May 28th. Motion seconded by Ms. Gordon, carried.

Ms. Gordon made a motion for the staff to draft a letter to Mr. Anthony Guida, Education Management Corporation stating the Board doesn't consider the proposed redesignation as a change of ownership. Motion second by Ms. Nash, carried.

Ms. Gordon made a motion for the staff to draft a letter to Lincoln Educational Services, regarding Southwestern College, stating the Board's confirmation of that conclusion that it agrees approval would not be required. Motion seconded by Mr. Wilham, carried.

The Board agreed to plan for a retreat to be scheduled for the end of August or in the first week of September to discuss regulations and other topics that may arise.

Ms. Fleming, Board Counsel, will draft a letter to Stock Yards Bank & Trust requesting a letter of credit of \$20,000.00.

Next Meeting

The next meeting will be conducted Friday, June 20, 2008.

Approve Travel and Per Diem

Ms. Gordon made a motion to approve travel and per diem for members attending today's meeting. Motion seconded by Ms. Nash, carried.

Adjournment

Having no further business to bring before the board Ms. Armstrong made a motion to adjourn at 4:10 p.m. Motion seconded by Mr. Wilham, carried.



Approved